

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LIBERTY MUTUAL INSURANCE COMPANY,)	CIVIL ACTION
)	NO. 96-10804-DPW
)	NO. 1:04-CV-10969-DPW
Plaintiff,)	(Sutton Brook)
)	
v.)	
)	
THE BLACK & DECKER CORPORATION,)	
BLACK & DECKER, INC., BLACK & DECKER)	
(U.S.) INC., EMHART CORPORATION, and)	
EMHART INDUSTRIES, INC.,)	
)	
Defendants.)	
)	

**ASSENTED TO MOTION FOR LEAVE TO FILE UNDER SEAL CERTAIN
BLACK & DECKER FILINGS CONCERNING ITS MOTION FOR
SUMMARY JUDGMENT REGARDING THE SUTTON BROOK SITE**

Black & Decker, with the assent of Liberty Mutual, moves, pursuant to Local Rule 7.2, for leave to file under seal Black & Decker's Memorandum In Support Of Its Motion For Summary Judgment Regarding The Sutton Brook Site, the Appendix to said memorandum and the Statement Of Material Facts As To Which There Is No Genuine Dispute in support of the summary judgment motion. Said filings contain or refer to confidential documents produced by the parties pursuant to protective orders designed to ensure the confidentiality of said documents. Pursuant to Local Rule 7.2, Black & Decker requests that this Court enter an Order authorizing the sealing of the memorandum, appendix and statement of facts, filed in connection with its summary judgment motion.

Black & Decker also requests that the Court maintain said documents under seal until this action is closed and, thereafter, that said documents be returned to counsel.

By their attorneys,

Dated: November 30, 2004

/s/ Jack R. Pirozzolo

Jack R. Pirozzolo, BBO# 400400

Richard L. Binder, BBO# 043240

James J. Nicklaus, BBO# 564806

Willcox, Pirozzolo & McCarthy

Professional Corporation

50 Federal Street

Boston, Massachusetts 02110

(617) 482-5470